



**Austin Water Utility
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 8

Subject: Approve a resolution authorizing the City Manager to submit the Balcones Canyonlands Coordinating Committee recommended proposal to amend Federal Fish and Wildlife Permit PRT-788841 through a Minor Amendment to the United States Fish and Wildlife Department. This Minor Amendment will authorize the City to relocate Water Treatment Plant #4 from approximately 102 acres owned by the City located within (but not dedicated as Balcones Canyonlands Preserve land to) the Bull Creek Macrosite to approximately 45 acres of the North Lake Austin Macrosite Balcones Canyonlands Preserve area known as Cortana.

**Additional Backup
Material**

(click to open)

 **BCP Resolution**

For More Information: William Conrad, 263-6430

In 1984 the City acquired approximately 240 acres in the Bull Creek Macrosite, of which 102 acres was intended for use as the WTP#4 plant site, with the remaining 138 acres being on-site mitigation that was dedicated to the Balcones Canyonlands Preserve (BCP). The 102 acre original site was not dedicated to BCP, but was established as a Utility infrastructure special use tract.

Given concerns about the environmental setting of these 102 acres at the headwaters of Bull Creek by members of both the Environmental Board and the Water and Wastewater Commission, alternate sites were identified and evaluated. Staff presented Council with an alternate site that was deemed to be more appropriate environmentally than the original site.

The alternate site identified is approximately 45 acres out of approximately 1700 acres known as the Cortana site in the North Lake Austin Macrosite. No additional mitigation is required under the permit. However, in order to further public support and to assure that BCP benefits from this action, the City is also offering an additional commitment of 1030 acres of land dedicated to BCP in two tracts. First is the original 102 acre plant site. The Second is the 928 acres Water Quality Protection Land Little Barton Creek tract to be operated under dual management: for Endangered Species habitat and for water quality protection. This will assure that no additional "Take", as defined in the Endangered Species Act, will result from this action as the Little Barton Creek in the Barton Creek Macrosite will be dedicated to BCP. It is currently dedicated for water quality purposes. The Austin Water Utility advanced \$5 million of the funds for Water Quality Protection Land acquisition, with the expectation of being repaid. The Austin Water Utility is forgiving the unpaid portion of the funds, approximately \$2.5 million, in exchange for the dual dedication to both Water Quality and as BCP. The Little Barton Creek site is currently habitat for Golden Cheek Warblers and provides potential habitat for Black Cap Vireos.

Black Cap Vireo occupy habitat that includes young growth of trees and shrubs, which is entirely consistent in maintaining land for Water Quality purposes.

Moving WTP#4 from the Bull Creek Macrosite is a significant increase (102 acres) in the most important Macrosite with the highest land value. It is a more significant increase in the Barton Creek Macrosite and

this is the first BCP acquisition of this size since 1997.

The addition of 102 acres to the Bull Creek Macrosite assures that there will be no construction in the vicinity of the main stem of the headwaters of Bull Creek and provides for the protection of the Jollyville Salamander habitat. It removes a significant infrastructure in-holding from this macrosite. Furthermore, it reduces the total infrastructure within BCP by 57 acres.

The proposed land addition for taking 45 acres of the North Lake Austin Macrosite is a net increase of 985 acres to BCP.

The Balcones Canyonlands Coordinating Committee will recommended specific actions at its July 24, 2006 meeting, which recommendations will be delivered to Council as late back up.

RESOLUTION NO. 20060---

WHEREAS, the City of Austin, at the request of its citizens-including members of advisory boards and commissions, reviewed alternative sites for construction of Water Treatment Plant #4 (**WTP#4**); and

WHEREAS, the City of Austin determined that the approximately 102 acres purchased in 1984 at the headwaters of Bull Creek for WTP #4 (called “Headwaters Site”) was no longer an environmentally appropriate site for constructing WTP #4; and

WHEREAS, the City of Austin owns approximately 1700 acres (known as “Cortaña”) of Balcones Canyonlands Preserve (**BCP**) property in the same general vicinity of northwest Austin, which contains less sensitive and more easily duplicated preserve habitat than the Headwaters Site; and

WHEREAS, in keeping with its commitment to the BCP, the City of Austin wanted to provide additional benefit for the taking of dedicated BCP preserve habitat for infrastructure improvements by dedicating additional City owned land to BCP and committing to sensitive construction methodologies and accelerated restoration of 400 acres of to replace habitat lost or damaged by WTP4 construction; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. Council adopts the recommendations of the BCCP Coordinating Committee to request a minor amendment to Federal Fish and Wildlife Permit PRT – 788841 transferring the Special Use Tract

designation in the permit from the original 102 acre site to the new 45 acre alternate site and authorizes the BCCP Secretary to forward the amendment request to the United States Fish and Wildlife Service for review, along with all necessary and advisable information and documentation needed for the amendment to be processed.

2. The permit amendment will become effective upon certification of approval by USFWS.

ADOPTED: _____, 2006

ATTEST: _____

Shirley A. Gentry
City Clerk